

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

CONVERGEN ENERGY LLC, L'ANSE  
WARDEN ELECTRIC COMPANY, LLC,  
EUROENERGY BIOGAS LATVIA  
LIMITED, and LIBRA CAPITAL US,  
INC.

Plaintiffs,

V.

STEVEN J. BROOKS, NIANTICVISTA  
ENERGY LLC, GREGORY MERLE,  
RIVERVIEW ENERGY CORPORATION,  
DANIEL ESCANDON GARCIA,  
RAMON URIARTE INCHAUSTI,  
CHIPPER INVESTMENT SCR, SA,  
URINCHA SL, THEODORE JOHN  
HANSEN, BRIAN R. MIKKELSON, and  
CONVERGEN ENERGY WI, LLC.,

Defendants.

Case No. 1:20-cv-03746(LJL)

**NOTICE OF MOTION TO DISMISS  
THE COMPLAINT AGAINST THE SPANISH DEFENDANTS**

**PLEASE TAKE NOTICE THAT**, upon the supporting Memorandum of Law dated August 21, 2020, and the accompanying declarations of Daniel Escandón Garcia and Ramón Uriarte Inchausti dated August 21, 2020, and the exhibits attached thereto, defendants Daniel Escandón Garcia, Ramón Uriarte Inchausti, Chipper Investment SCR, S.A., and Urincha SL (collectively, the “Spanish Defendants”) will move this Court, the Honorable Lewis J. Liman, presiding, at the federal courthouse located at 500 Pearl Street, New York, NY 10007, or through a telephonic or Zoom hearing to reflect the current worldwide pandemic and the Court’s practices,

on a date and in a manner to be set by the Court, for an Order dismissing all claims against them with prejudice pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(2) and (6).

Dated: August 21, 2020  
New York, NY

Respectfully submitted,

By: /s/ Vincent Filardo Jr.

Vincent Filardo, Jr.  
Evan Zatorre

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*Attorneys for Defendants Daniel Escandon  
Garcia, Ramon Uriarte Inchausti, Chipper  
Investment SCR, S.A., and Urincha, SL*